SCHMITTBERGER GOT HALF. been made regarding the mismanagement of prisons under your control? A.-No. sir.

A POLICEMAN'S FRANK STORY. THE CAPTAIN WANTED ALL THE OFFI-

THEN HE REFUSED. HE WAS TRANSFERRED TO ANOTHER POST-THE AGENT OF THE LINE

CER GOT FROM THE FRENCH LINE.

REFUSES TO TELL ABOUT A PAYMENT

OF \$500 TO THE POLICE.

The Lexow Committee yesterday continued the investigation of the Police Department, and testimony was heard again in the large courtroom usually occupied by Part III of the Superior Much time was spent in the effort to get at the truth in reports that Police Captain schmittberger had received, sums of money from the steamship companies, when he was in command of the Steamboat Squad, and John W Goff, of counsel for the committee, was particujarly anxious to ascertain if the captain had received \$500, or any part of that sum, from Augustin F. Forget, the agent of the French Mr. Forget was kept in the witness chair for hours and assailed with questions which made him uncomfortable, but he could not be made to explain fully a payment of \$500 which was recorded in his books on December 31, 1891, as "for special surveillance on wharf, paid to whomsoever may be entitled to it, by A. Forget." He persisted in the statement that he could not remember to whom the money was paid, but he would not swear that part of the money was not paid to Captain Schmittberger. He admitted that \$10 a week had been paid to a policeman detailed at the pier, who had worked overtime for the company, and other employes of the company also testified to the same effect. Mr. Forget also stated that he had been approached by two mysterious men who had begged him not to testify against Captain schmittberger.

The most striking testimony of the day was given by Policeman De Gann, who had received 10 a week for working overtime at the steamship pier. He appeared to be telling the truth frankly, and he testified that he had been obliged to give half of the extra pay which he earned to the captains in command of the Steamboat squad. All of the other men in the squad who earned extra pay also gave up part of what they received, he said. Some time after Captain Schmittberger was placed in command of the squad, the captain wanted to get all of the extra pay for himself. De Gann declared. Because De Gann refused to give more than half of his extra pay to the captain's collector he was transferred from the pier and changed about from post to post, so that he could not earn any extra pay. Employes of the steamship company who protested against the removal of De Gann from the pier were told by Captain Schmittberger that De Gann had been transbred for "insubordination," but no charge against the policeman was made at the Central

In the afternoon a policeman over six feet high was accused of having brutally beaten a prisoner only about five feet high, and Mr. Goff had in evidence the end of a broken police club. but the small prisoner supported the policeman in the explanation that the club was broken on a railing, and not on the prisoner's face. A woman who had kept a coffee salcon, with girl waiters, in the district east of the Bowery, declared that she had offered to pay "Silver Dollar" Smith \$350 for protection, and Smith had refused to receive the money. Her story caused

The investigation is to be continued to-day.

SCHMITTBERGER'S DEMANDS.

WHY HE TRANSFERRED POLICEMAN DE

GANN. THE OFFICER GOT \$10 A WEEK FROM THE

FRENCH LINE FOR OVERTIME WORK-HE THE LATTER WANTED ALL, WHICH

WAS DEPUSED-A \$500 PAYMENT TO SCHMITTBERGER WHICH

MR. FORGET, THE AGENT

The Pope's reporter, as Father Ducey has been called-a title however, which he is emphatic in disclaiming; Policeman Shalvey, the "side-partner" of Policeman Hussey, who threatened to shoot witness; and "Mary," who sells apples and chocolate, were the first three to arrive in of the Superior Court yesterday, where the Senate Investigating Committee resumed its sitting. Morris Jacobs, the man who had to pay a lot of money to get on "the force" and never got on, came looked around and smiled. Norberth Pfeffer shook hands with him, and all eyes were for a time turned on Norberth, who has become quite a "hero" and has "under advisement" offers from more than one museum manager to exhibit himself with the revolver with which Policeman Hussey threatened to t him. What Pfeffer doesn't know about Essex Market Police Court is not worth knowing, and be-fore the work of the committee began he told the reporters a whole lot of interesting things. He said that "Sliver Dollar" Smith, "Issy" Dreyfuss, a porter, his son-in-law, and Martin Engel practically roled in the Essex Market Court. "Silver Dollar's" place is near by, and Pfeffer says that Smith told him the reason he gave his daughter in marriage to a reporter was in order to "keep an account of any able out of the papers."

Senator Bradley was bright and smiling, as usual, and when the chairman struck his gavel on the

Much the court was crowded. The chairman began the day's proceedings by reading a letter which he had received from Benjamin Murphy. Chief of Police of Jersey City, in which te inclosed a resolution by the Commissioners of Police of that city, calling attention to the testimony given by William Applegate, the "green-goods" man, to the part played by Detectives Dalton and Moria, of Jersey City, in aiding the "bunco steer-ers" at the Pennsylvania Railroad depot. Chief Murphy requested that a copy of the testimony in regard to the matter be sent to the Commissioners

of Police in his city. It was agreed to furnish the testimony. James W. Ledwith, warden of district jalls under the Department of Charities and Correction, was the arst witness. Ledwith has been examined before in to certain abuses in his jurisdiction.

first witness. Ledwith has been examined before in relation to certain abuses in his jurisdiction.

Q-I told, you before that we had testimony to show you but what is known as "working the growler" was practised in some of the prisons, and you expressed surprise? A.—Yes, sir.

Q-What did you do when you left? A.—That very evening I went to the prison and investigated both of the men who were on night duy at Jefferson Market Prison, and had believed that neither one of them had drunk anything in a year. They both denied that they worked the growler; and on going to a neighboring liquor-store I found that one of them was accustomed to get a pint of beer there every night. When I told him about it the next day he acknowleded it, and said he had it with his lunch. Then I made charges against him before the Commissioners, and he was dismissed.

Q-What's his name? A.—Patrick O'Toole.

Q-Did you continue your investigation any further. A.—We have the power to admit counsel to be prisoners at any hour of the night.

The Chairman—Do you exercise that power? A.—Iss, once in a while in cases of great necessity. Mr. Goff. Yes; but wasn't there an arrangement among the keepers that only certain lawyers would be admitted? A.—Yes, sir; but you must remember. Mr. Goff. (wearliy).—I know; but tell me, have her been charges preferred against any of your keepers in reference to just such behavior? A.—No, sir; except in the one case of which I have lod you about the "growler." It is very difficult to get testimony to prove these things. The Commissioners are ready to put a stop to such practice if they could only find the culprits.

Q. By the Chairman)—Would it have been better to have investigated the case and then charged them. A.—Yes, sir.

Mr. Goff.—Have you done anything else to ascertain the truth of the various charges that have

off—Have you done anything else to as-the truth of the various charges that have

MR. FORGET CALLED.

The next witness was Augustin T. Forget, the agent of the Compagnie Generale Transatlantique, a man well known in business circles in this city. Besides his connection with the French Line Mr. Forget is among the most prominent of the members of the French colony. Mr. Forget made an exhibition of lack of memory especially in regard to the disposition of a certain \$500 which Mr. Goff wanted to prove had been paid by him to Captain Schmittberger. In vain did Mr. Goff twist him and turn him, and roast him even; in vain did the chairman remind him of the fate in store for any one who attempted to triffe with the committee or to swear anything that was not true; all that Mr. Forget must have made this reply to the hausted with nervous excitement and begged to be allowed to take a rest-a request which Mr. Goff granted, addressing him this time as Mr. For-get, giving the English pronunciation to the

you wish it to go abroad to the world," said Mr. Goff, "to all the newspapers of America and probably to France, to all your friends who know you well in social and commercial life, and



who know the responsible position which you hold in the world of trade, that you cannot give any definite answer to this committee as to what was having been paid out-December, 1891?"

"I DON'T REMEMBER."

The witness's face was flushed, he fidgeted with his eyeglasses for a moment, twisted his handkerchief through his fingers and said simply but with considerable effort: "I don't remember But read his examination in detail:

But read his examination in detail:

Q.—You managed all the affairs of the company in this country? A.—Yes, sir.

Q.—Who were the captains under whom your business on the pier would come? A.—It came under Captain Smith, Captain Schmittberger and another man whose name I don't know now.

Q.—Did you pay the police for special service?

A.—We gave them necessary tribute in looking after our interests and the interests of the passencers. Q.—Compensation? A.—Not compensation, but

tribute.
Q.-How much was it? A.-About \$10 a week.
Q.-Was any other sum paid? A.-I don't remember.
Q.-Do you know of any sum being paid for police protection? A.-I don't remember.
Q.-In this book, which covers from November 1, 20, to January 31, 22, I find the fourth item on page 417 written in French, \$500. Please translate that into English for me. A.-For service on wharf, subscription and allocation, etc., \$400.
The Chairman-That means donation? A.-No, not donation-allocation. ation—allocation, the Witness continuing to read from the book)— special service on the wharf, etc., surveillance the year 1800-21 paid to whom is due by Mr. get \$500.

What do you mean by "to whom is due"? A.-That's an idiomatic phrase.

The Chairman—it means "paid to whomsoever is entitled to it"—is not that the proper translation?

A.—Yes, sir

Q.—To whom was it paid?

A.—I don't remember.

Q.—Through whose hands was that money disbursed?

A.—I don't remember.

MORE "DON'T REMEMBERS."

Q .- Does it refer to the \$10 a week you paid to the policeman on the pier? A -No. sir. Q .- Can you tell us to whom that \$500 was paid?

Q.—Do you mean to say that you have made a charge in your books of \$500 against your company without being able to tell them what that \$500 was for? A.—I don't remember; it has been done for

Did the postman get any? A.-I don't remember may have, and the janitor and the teleber; he may have, and the janitor and the telegraph boys.

Q.—Who had the disbursing of it? A.—The cashier, named Melsner, who ran away after stealing some thousands of dollars from me.

Q.—Un you mean to say that your memory falls you absolutely as to the application of that \$500?

A.—Yes, absolutely.

Q.—What had the postmen or the telegraph boys to do with service on the dock? A.—That doesn't say for the dock alone, it says etcetera.

Q.—What does the etcetera mean to imply? A.—I don't remember.

Q.—What does the etcetera mean to imply? A.—I don't remember.
Q.—Whese handwriting is this book in? A.—A man named Dernatret, who was in my employ and who is now dead.
Q.—Well, this \$500 was exclusive of the \$10 a week? A.—Yes.
Q.—Now, isn't it a fact that you are afraid to testify to anything that would place you at a disadvantage with the police? A.—I don't say so.
Q.—Isn't it so? A.—I don't think so.
Q.—Won't you swear it is so? A.—I don't know about that.

Q-Won't you swear it is so? A.-I don't know about that.
Q-But you wish to remain on friendly terms with the police? A.-I do.
Q-But you wish to remain on friendly terms with the police? A.-I do to care whether I am on friendly terms by testifying against them? A.-I don't care whether I am on friendly terms with them or not.
Q-Didn't you pay the \$10 a week to the man as a policeman? A.-No. sir; it was because a man in uniform would be obeyed more readily, and because our own men couldn't look after everything.
Q-Wasn't the policeman to whom you were accustomed to pay the \$10 removed? A.-He was.
Q-Did you or any one in your behalf protest against it? A.-Mr. West did.
Q-Why was he removed? A.-I don't know.
Q-Will you swear that you never heard what was the cause of this officer's removal? A.-I heard from Mr. West that he was removed.

THE CAPTAIN DIDN'T LIKE HIM. Q. (Question repeated). A .- Mr. West said he

was removed because the captain didn't like him. Q.—Didn't he say he was removed because he re-fused to divide the money he received from the

fused to divide the money he receive remember.

company with the captain? A.-I don't remember.

Q.-Will you swear? A.-I will swear I don't remember.

Q. (Question repeated). A.-I don't remember.

Q. (Question repeated). A.-I don't remember.

Q.-I am not asking you as to your memory; but will you swear? A.-Well, I was told by one person—it was you. Mr. Goff, who told me.

This ingenuous reply angered and disappointed the counsel, who thought that he had at last got at the truth, and he rebuked the witness by re minding him that he made no reference in any questions he might ask him during the day as to any conversation they might have had with each

"Mr. Forget," said the chairman, "it is my duty to warn you to be careful. The oath which you have taken makes you amenable to the law in

have taken makes you amenable to the law in case you misstate the facts."

Mr. Goff-Before seeing me, didn't somebody tell you that that was the reason the policeman was removed? A.—I don't remember.

Q.—Have you had a conversation with any one who told you to say "I don't remember"? A.—No, sir.

Q.—You are z gentleman of culture, Mr. Forget, and I will ask you if you ever read the famous trial of Queen Caroline, where the Italian valet answered every question, "I don't remember"? (Laughter.) A.—No, sir.

Q.—Have you ever heard that that is a safe answer for a witness to give when he doesn't wish to textify? A.—No, sir.

Q.—What was the policeman's name? A.—De Gann: he spoke French, and was very useful to us.

Q.—Did you not hear that he was removed because he—

"I don't remember," said the witness, amid laughter, before Mr. Goff had time to finish the ques-

ter, before Mr. Goff had time to finish the ques

tion.

Q.—Could you answer any of the directors of your company if they asked you what that \$599 was for?

A.—I don't remember.

Q.—In what way was the \$500 paid, by check or in cash?

A.—I don't remember. (Laughter).

Q.—Why did you give \$500 instead of \$1,000?

A.—Because it didn't suit me. I might just as well have given \$500.

—Was it merely arbitrary on your part?

A.—Coulded.

Q.—Was it merely arbitrary of the Certainly.

Q.—Did you get any vou her or receipt for the money? A.—Never money? A.—Did your company ever inquire about it?

Q.—Did your company ever inquire about it?

A.—I don't remember.

Q.—Your memory fails you again, Mr. Forget?

A.-I don't remember. (Laughter.)
Q.-What did the ward man call on you for? A.

I don't remember.

Q.-A social call? (Laughter) A.-No.
Q.-Did you have any talk with him? A.-Yes.
Q.-About what? A.-I don't remember.
Your memory is once more gone back on you, Mr.
Forget. (Renewed laughter.)

DE GANN'S TESTIMONY. Louis De Gann was next called. He appeared in uniform. This is the policeman to whom Mr. Forget said the \$10 a week was paid for minding



the dock, and he didn't leave the committee or the big audience long in doubt as to why he had been removed. It was because Captain Schmittberger wanted the whole \$10, instead of \$5 each week, a proposition that De Gann answered by saying, "I'm no slave, and I won't do it." De Gann gave his testimony in a straightforward, honest way. De Gann testified that he had been doing duty on the French pier for eleven years. He said that in consequence of the early sailing of their steamers, and the late arrival of passengers, sometim he got \$5 a week from the company as compensa-tion for looking after things on the pler, and doing overtime duty in that way, and when faster steamers were put on some years ago, Mr. West agreed to double his pay if he would go there on Sunday mornings too, which the witness agreed

The witness then told how Ward Man Vale came to him and said that Captain Schmittberger wanted the money that he was getting from the and the witness told him he didn't think that was

"'Well,' said Vale, 'he wants it, and you will have to give it up, and I said: 'I cannot give it I will not be a slave for any man." that the captain could make a good deal of trouble for me. I said I didn't care. He came the next day and made the same request, and I again refused, stating that I was paying half to him al-

Q -You were shifted around that way witho world. Captain Schmittberger told Commissioner Vearbis that he had changed me because I was deing smuggling. I asked Chief Clerk Kipp at Heodingarters if any charge had been filed against me, and he said no. About two months after that the captain sent for me and said he was going to give me a post on the North River, and wanted me to select a post that would suff me. I said: "Give me back my oid post, you did one of the most foolish things you ever did in removing me from there." But he said be could not put me back on the French Line.

Q—Was Schmittberger the first captain who de-

stepped down from the chair, "that during the long course of this testimony, when we have had so many persons on the stand who have impressed th

many persons on the stand who have impressed the listeners that they were not telling the truth, to meet a police officer in uniform who has the cour-age and the honesty to tell the whole truth. It proves what has been said publicly heretofore, that proves what has been said publicly heretofore, that there are men on the police force in this city who are moved by honest and honorable trapulses and who are ready to show the same courage and sense of public duty as this officer be Gann has done in of public duty as the chief, as he has done, Great applause, in which Schator Robertson joined.) Charles G. West was then called. Mr. West testi-fied that he had been superintendent of the pier for the French Line for seventeen years. He looked



CHARLES J. WEST after the discharging, the loading and the coaling of the vessels and the employment of help.

of the vessels and the employment of help.

Q.—Is it a fact that you said to De Gann that if you had known he was giving up any of his \$10 that you wouldn't have paid him a cent? A.—I may have said so.

Q.—What did Captain Schmittberger say to you when you asked him why De Gann had been removed? A.—He said he had removed him for insubordination. (Roars of laughter.)

Q.—For not giving up the whole of the \$10 a

moved? A.—He said he had removed him for insubordination. (Roars of laughter.)
Q.—For not giving up the whole of the \$10 a
week? A.—Yes. (Laughter.) I think he charged
him, too, with being in league with boarding-house
runners, when, as a matter of fact, De Gain helped
us to break a number of these places, arrested
several runners and had them before Mr. Ridgway,
who was the State Commissioner of Emigration.
Q.—Did the Captain say anything about smuggling? A.—No; we closed the seance by getting into
a quarrel. (Laughter.)
Q.—Do you pay anything now? A.—I never paid
anything after De Gain left until recently.
The witness said that it was generally talked of

The witness said that it was generally talked of by all the lines that they had to pay money to the

Mr. Goff then handed the witness the book witn the \$560 entry, and questioned him about it, but the witness said he had no recollection about that

item.

Q.—Did you ever know of this \$500 being paid for any particular purpose in connection with the police? A.—There were rumors to that effect.

Q.—Did you ever hear anything of the fact that instead of paying the money in small sums it was better to pay it in a lump, and that is how this \$500 comes? A.—No, I think not. It was a general rumor.

rumor.

Q.-Did you ever hear about a receipt having been demanded for this money? A.-I demanded a receipt once myself from a man named Gannon.

Q.-Did you pay Gannon money? A.-No, sir.

Q.-Did he ask money? A.-Yes, sir. WANTED MONEY AFTER DE GANN WENT

AWAY. Q.-Was that after Officer De Gann left? A.-Yes, sir; he asked me for the amount that it had been customary to pay Officer De Gann, and I told

to the same effect as the previous witness, but he knew nothing about the \$500. The bookkeeper had pointed his attention to it, because he said he had heard rumors about it.

The witness continued to say that he heard rumors

about \$500 being paid by the company while Cap-

Ex-Alderman William H. Schott, the general passenger agent of the French Line, testified much

tain Schmittberger was captain.

Mr. Forget was again called to the stand, and once more subjected to a searching examination by Mr. Goff, and from his old-time repetition of the words "I don't remember" to almost every question he was asked, it looked as if he had forgotten

about everything except his name.
"Have you refreshed your memory after listening to these witnesses?" said Mr. Goff. "No." said

Q.—Have you determined on that stand to give no information concerning that \$500? A.—No., sir. Q.—You spoke to your counsel? A.—Yes. sir. Q.—And you are acting on his advice? A.—Yes. entirely.

The Chairman-You paid out that \$500 yourself?

A-Yes.
Q-To whom? A-I don't remember.
Mr. Goff-Do you wish your answer to go on the record that you know nothing of that \$500 which you paid out December 31, '91? A.-I don't mind.

AN ADMISSION ABOUT HIS CONSCIENCE. AN ADMISSION ABOUT HIS CONSTITUTED AN ADMISSION ABOUT HIS CONSTITUTED AND ADMISSION ABOUT HIS CONSTITU

"No," persisted the witness as he saw the trap he was falling into. "I don't deny it-I don't re-

that if you testified against Schmittberger you would rulin him? A.-Yes, sif.
Q.-Hasn't it been said to you that on account of his wife and his large family you should have mercy on him, and not testify against him and ruln him? A.-Yes, sir.

Mr. Goff appeared satisfied at having gotten even this much out of the witness, and, as Mr. Forget himself begged for a reprieve, and said that he was feeling tired, Mr. Goff granted it, and, as it was

When Mr. Forget appeared in the witness chair again after the recess, he still failed to remember the names of any persons who had shared in the 2500. Within a formight, he said, he had been aptains. One man was a Mr. Wolf, who lived omewhere in the city. He did not know Mr. Wolf's first name or address, but he had seen him some-

money. They were all men, but he declared that he could not remember the name of one of them. The money was to have been paid by the cashier.

explain the payments, and to give a copy of the letter to Mr. Goff.

THAT REMARKABLE "MEMORY" AGAIN. Senator Lexow drew from the witness an admission that he had given a list of names to the ist showed how much was to be paid to each peron, but Mr. Forget declared that he could remember the amounts or the names on the list.

Q - Will you swear that any of the seven per-ons who received the \$60 was dot a policeman's The witness was excused until this morning.

William F. Hotbe, a broker, who said he had be connected with the firm of the late ex-Govern connected with the firm of the late ex-Governor
Morgan, told the committee how he was rolched
three weeks ago in front of the Stock Exchange.
Mr. Goff took from one of his satchess the handle
of a policeman's billy, on which was the number
55. The handle looked as if it had been broken from
the club recently. After Looking at the number, Mr.
Goff called out, "Is Policeman Corcoran in court?"
Policeman John Corcoran, of the East Thirtywas sworn. He was a strapping big man, nearly by his own report. Mr. Goff held out the broken handle of the club, and asked where the rest of the club was. Coregran said it was at his home the club was. Corcuran said it was at his home. Q.—How was the club broken? A.—I broke it by hitting a railing on Saturday night.
Q.—Tell us about it. A.—I arrested a man who was fighting drunk, and when we were on the way to the station and got in front of No. 322 East Thirty-fifth-sit, where he lived, he called for his brother to come out and help him get away, and he caught hold of the railing and held fast to it. Just for a bluff, to make him let go, I brought my billy down hard on the railing and broke it.

BRUISES IN EVIDENCE.

Mr. Goff called a "tough" looking little man to the railing near the witness-chair and had the policeman step down and stand beside him for a moment. The little man's head did not reach above the policeman's shoulder. On the little man's nose and upper lips were unhealed bruises. His coat was torn so badly that the right sleeve was nearly ready to fall off.

Mr. Goff had the little man sit down in front of

the witness-chair, and then he turned to the policeman and inquired sternly: "Now, officer, did you not break your club over this man's face?" I swear I did not strike him at all with my club," was the reply.

Corcoran was allowed to go, and the little man

was sworn as a witness. He said he was Peter Edward Quinn, about five feet high and weighing 115 pounds. There was laughter in the room when Mr. Goff again held out the broken club-handle and asked: "Have you felt the weight of the other end of this?" "I believe I have," was the reply.

"I believe I have," was the reply.

Q.—How was the club broken? A.—Well, I was arrested on Saturday night, and when we were passing the house where I live I wanted to speak with my brother and get bail. The officer wouldn't let me go in, and I caught hold of the railing and called to my brother to come down. The officer hit the railing and broke the club.

Q.—Did he strike you with the club? A.—No.

Q.—How did you receive the wounds on your face?

A.—The officer punched me with his fist in front of the sergeant's desk at the station. He hit me in the mouth and loosenel my teeth. I was drunk at the time. I had been hit by another policeman in Thirty-fourth-st, before Corcoran took me in.

The next witness was James J. Clifford, of No. 341. East Thirty-fifth-st., who looked as if he belonged in

East Thirty-fifth-st., who looked as if he belonged in the same class with Quinn. He testified that he saw four policemen "pulling and punching" Quinn on the way to the police station on Saturday night, on the way to the police station on Saturday night, and asked them not to hit him any more.

Q-What did you say? A.—I said it was a shame to hit him and that he would go along all right if they let him alone. Then one of the policemen—his number is 498-said they would hit me too if I didn't shut up. He hit me in the jaw and made my face stand out like a cushion. I was on my way to the station to see what the charge was and to get bail for Quinn, and the policeman clouted me again and

arrested me. As I was being taken to a cell I heard somebody say, "Don't hit him."

Q.—Were you drunk? A.—I had taken a couple of glasses of beer, but I was not drunk.

Q.—Has Corcoran any nickname among the policemen in the precinct? A.—I have heard him called the "Lily," (Laughter.) him that if he was entitled to it he would get it if he gave a receipt, and he laughed and went away.

Q.-Whom did he say it was for? A.-He said it was for the captain.

Mr. Goff-In the expensive horticultural garden of New-York this policeman might be called the "Dragon Lily."

Senator Lexow-Perhaps he might be called the Tiger Lily." (Laughter.)
Mr. Goff handed to the chairman of the committee the handle of the broken club, saying that he



THE LILY AND HIS VICTIM.

presented it as a memento, with the compliments of the "Lily."

James Hughes, of Van Cortlandt, a stout and florid man who said he formerly had been in the liquor business, was called as a witness and asked to tell what he knew about a dog-fight at Riverdale everal months ago. He said the fight did not come off because the police made a raid and arrested nine-teen of the men who had gathered to witness the light. Later a charge had been made against Roundsman Weise, who was supposed to have re-ceived \$5 to let the fight go on. The witness had cen sent from the place where the men had assembled to give the money to the policeman. He had gone out in the dark to the road, where a man sat horseback, and had extended his hand with a \$5 ill in it. The bill was taken by the man on horsesek, but the witness could not be sure that Welse was the man.

witness chair. He denied that he had once threatened to commit suicide in the presence of Captain into a house in Madison-ave, and acting in a disthe offence charged he would blow his own brains Hughes or knew anything about the payment of the \$5. The examination of the roundsman was cut pering German woman who talked through an in-

The new witness said her name was Lillie Weinberg, and the first question propounded by Mr. Goff was: "Why did you pay \$350 to "Silver Dollar" The interpreter labored with the witness for a

minute, and then said: "She says she wanted to pay the \$350, but "Silver Dollar" Smith wouldn't

a laugh, and Mr. Goff exclaimed: "That is the most astounding testimony yet." Q. Why did you want to pay "Silver Dollar" Smith \$507 A -I wanted to open a coffee saloon Smith \$3507 A.—I wanted to open a coffee saloon and have girls in the place.

Q.—What was the \$350 for? A.—For protection.

Q.—Who told you to go to "Silver Dollar" Smith?

A.—The girls told me that he could protect me.

Q.—How much money did you pay for protection? A.—I did not pay any money to anybody.

Mr. Goff—i think we had better adjourn right here, Mr. Chairman, after hearing such a wonderful tale that "Silver Dollar" Smith was offered \$350 and refused to take the money.

A recess was then taken until 10:20 a. m. to-day.

HE TOLD THE LEXOW COMMITTEE THAT THE

POLICE WERE ALL SPOTLESS, YET NOW THEY HAVE ARRESTED HIM. Harry von Grundman, an engraver, of No. 36 Firstave, has been in the habit of visiting the cafe at No. 58 East Pourth-st, and spending his money freely on the preity waitresses. Von Grundman says he was a baron in Germany, and he receives frequent emittances from his people there. The cafe is kept y Max Gombossy, a Lexaw witness, who gave the pelice a good character from patroiman to captain, and could not be induced to make any admissions docute the carnest efforts of Mr. Goff.

For the last week Von Grundman has had no noney, and each night Gombossy, who was extremefriendly before, indignantly refused to notice him. The pratty waitresses, too, eyed him coldly when he entered and neglected him for more lucrative customers. On Monday the "Baron" got money, and at night he walked proudly into the cafe and calling the prettiest waitress ordered a round of drinks. Gombossy hurried over to his table, and, clasping him warmly by the hand, said: "My dear boy, I'm

"You deln't say that all the week," responded Von me and I was treated as a cur."

'All imagination, my boy," replied the Lexow witness, 'all imagination; you must be getting very sensitive. I'm always pleased to see you, money or no money. Drink up, and have another

Von Grundman did so, and then got up and left Von Grundman did so, and then got up and left the place. He went straight to the Fifth-st, police station and informed acting Captain Wiesand that Gombossy was sellins liquor without a license. The captain detailed Progremen Schindler and Gill to investigate. Gill entered with Von Grundman, and Schindler remained outside.

The "ifaron" and the officer sat down. Gill had a drink. The waitress took Rhine wine, and Von Grundman and Gombossy had beer. Then Gill got up and told the Lexow witness he was under arrest for violating the Excise law on the complaint of Von Grundman.

Gombossy rose and threw the contents of his glass in Gill's face, and then denounced his arrest as an outrage, "after all he'd done for the police." He denounced Von Grundman as a "snake in the grass," and said he thought he was his firmest friend.

grass," and said he thought he was his firmest friend.

Gombossy was arraigned before Justice Simms in the Essex Market Police Court vesterday, and was held in bail for trial. Von Grundman was committed to the House of Detention as a witness.

POLICE AT THE BOTTOM OF IT, HE SAYS. George Allison, the commission merchant who was a witness before the Lexow Committee and who later complained that the police were molesting him, was brought before Justice Voorhis in the Jefferson Market Court yesterday charged

with the larceny of seventy-five cents from an Italian fruit grower named Christopher Dierio of Sandersville, N. J.

Mr. Allison said that his arrest and the absurd charge brought against him savored strongly of police persecution, although he had no absolute proof that such was actually the case. It seems that some time ago a man named Dinkelspiel, who was the agent for the Alison Company at Sandersville, N. J., induced Diero to send three baskets of peaches to Alison & Co. The baskets were marked and Dierio followed them to

11 25 a basket. Later Allison rendered an account and said that the fruit had been sold at the rate of \$1 a basket. When he first came into the rate of \$1 a basket. When he first came into court yesterday, Dierio wanted to make the charge against Mr. Allison one of forgery. He said that the rendering of a false account was the same as forgery. Justice Voorhis was willing to entertain a charge of petty larceny, but laughed at the idea of forgery. He added that he had no jurisdiction in the matter, and told Dierio to go to the Tombs Police Court with his compaint.

Mr. Allison says that his bookkeeper may have mede a mistake in rendering the account. He added that he had offered to give Dierio the seventy-five cents, but that he had refused to take it. He feels sure that the police are back of it in some way, elle says that the charge that

this city and bought them from Allison & Co. for

Senator Lexow spent twenty minutes with the Grand Jury yesterday. At the close of his visit he declined to say what had taken place. When asked if he had made any request that the Grand Jury postpone taking up police matters, he re-marked that "that was a very good guess." His trip to the Criminal Court Building was in re-sponse to a request from the Grand Jury.

STEDMAN'S TRIBUTE TO DR. HOLMES.

HIS SHARE IN EMANCIPATING NEW-ENGLAND FROM ILLIBERALITY AND SUPERSTITION.

Probably no American writer has given Dr. Holmes a more careful study than Edmund Clar-ence Stedman. Besides knowing Dr. Holmes personally, Mr. Stedman has taken, perhaps, a keener delight in analyzing Emerson and Holmes than any other writers in Mr. Stedman's "Poets of America" Dr. Holmes is most generously, though discriminatingly, treated. Mr. Stedman was seen last night by a Tribune reporter at his home in West Seventy-eignth-st., and asked to talk about his friend. At first he decline, not wishing to absent himself from the society of friends who had dropped in to spend the however, sitting down at a table littered with proof sheets of a ten-volume edition of Poe's prose and poems, which Mr. Stedman has well in hand, and which is soon to be issued, he said: "There is nothing I can add to the intelligent es-

There is nothing I can and humorist which are in to-day's papers. He was so versatile and so good on all sides—he had so much fineness and strength combined—that in my essay upon him I had to put more careful distinctions than in those upon our other poets. One thing occurs to me: all the New-England poets had much to do with the emancipation movement, but Emerson and Holmes, more than the others, emancipated their own New-England-of course. I mean from illiberality and superstition. Holmes's rapier of wit and his social genius were so flashing and briliant that few realized his vigor as a philosopher and thinker; yet I remember that, when Emerson died, though the Dootor had seemed leas allied to him than were some of their group, he made the strongest study of Emerson's character and genius. Dr. Holmes's early poetry, with its exquisite lightness and delicacy and sense of youth, always has seemed to me his best; such pieces as "The Last Leat." The Grisette. The Punch Bowl.' etc. Old Ironsdest will outlast by a century even the 'Constitution' which he has saved for sixty-three years, and which he has lied in Portsmouth harbor. (It can be seen on the road to my summer home, and Laurence Hutton always takes his hat off as we pass in view of it.) The later poems are graver, but not so distinctly the poet's own, and an arrist and a pact's real addition to art or song is that part which he alone can produce. What will Boston do without its Autocrat? As I once said; the Doctor merrily Jestel that Boston was the hub of the Solar System, and in his heart believed his own jest." the New-England poets had much to do with the

DR. HOLMES AND ANDOVER. LETTERS AND POEMS WHICH HE WROTE FOR HIS SCHOOL FELLOWS. In the death of Dr. Holmes the famous old Phillips Academy at Andover, Mass., loses her most

eminent son, who was almost the oldest as well, for

but a handful from preceding classes still survive.

Among Phillips Alumni of every age he was held in love and reverence, as in a way the patron saint of the institution. At Alumni meetings it was customary to send him a message of greeting, which sometimes drew out a reply like the following, reelved at the dinner of the Alumni and students of Phillips Academy, held in this city, on March 31, 1891; Many thanks tor your kind remembrance. I wish I could have come to join you and recall the budding spring, but I am almost the last leaf now, and I must avoid exposure, or the cold wind will shake me from the bare branch to which I am still cling. Long life and prosperity to our old nursing mother.

OLIVER WENDELL HOLMES. In 1856 a large and enthusiastic meeting of Phil-lips Alumni was held in the Parker House in Bosn, at which Dr. Holmes was present. Those who attended well remember the genial old Doctor's speech at the dinner, and how, when he stood up in his place, the entire company of 300 rose and gave three cheers. He told how he read his first verses at Phillips Academy sixty-one years before, and referred to his poem of "The School-Boy," written for the centennial anniversary of the founding of the Academy in 1878, and read on that occasion. Then he read, with charming effect, his verses "Bill and

Joe," gave some reminiscences of his life at An-dover, and closed with these lines from the anniversary poem referred to above: Darker and deeper though the shadows fall from the gray tower of Doubting Castle's wall, Though Pope and Pagan rearray their hosts, And his new armor youthful Science boasts, Truth, for whose altar rose this holy shrine. Shall fly for refuge to this tower of thine.

No past shall claim her with its rusted vows. No Jew's phylactery bind her Christian brows: But Faith shall smile to see her sister free, And noble manhood draw its life from thee,

Long as the arching skies above thee spread.

The printed copy of the poem which Dr. Holmes used at the celebration, containing emendations by his own hand, is preserved in the library of the Andover Academy.

THE AUTHORS' GUILD EXPRESS SYMPATHY. The third annual meeting of the American Authors' Child was held yesterday afternoon at No. 70 Fifth-ave. The attendance was small, only fourteen members being present when General James Grant Wilson, who was in the chair, called the meeting to order at 4, o'clock. The usual routine business was transacted, and then resolutions were passed concerning the death of Oliver Wendell Holmes. The resolutions were offered by the Rev. Dr. Edward O. Flagg, formerly assistant rector of Grace Protestant Episcopal Church, and were as

follows:

Grace Protestant Episcopal Church, and were as follows:

Whereas, Through an ail wise Providence, Dr. Oilver Wendow Holmes has been removed from his sphere of earthly usefulness, be it.

Hesolved, That the American Authors' Guild, impressed by the almost irreparable loss to letters, to the profession of medicine, to patriotism, and to the society itself, would testify to his family their heartfelt sorrow in their deep bereavement.

These resolutions were passed unanimously. Then a telegram was sent to Mrs. Julia Ward Howe, in Hoston, asking her to attend and represent the Guild at the funeral of Dr. Holmes, A dispatch was also sent to Judge Wendell Holmes, Boston, expressing the sorrow of the Guild at the death of their friend and fellow-member.

Five new members were elected and then the election of officers took place. The name of Rudyard Kipling was presented for the presidency, but it was not received with any rapturous applause. In fact, it fell flat. So it was resolved that the office of president be left vacant for the present and that the other officers be elected. This was done, Result: Vice-presidents, Mrs. Julia Ward Howe, Maurice Thompson and Albert Matthews; secretary, Craven L. Betts; treasurer, Dr. Titus M. Coan, minagers, Edwin H. Shannon, W. H. Beard, Mrs. Liusbeth Akens Allen, Mrs. Elien Hardin Walworth and Dr. Newland Maynard, In the evening the authors were entertained at the home of General James Grant Wilson.

FOREIGN OPINIONS OF THE DEAD POET. Paris, Oct. 9 .- "The Temps," in an article on the leath of Dr. Oliver Wendell Holmes, says that he was an original and charming figure; a mixture of the serious and the moral. His amiable grace gave him a curious affinity to Addison and Steele and the Englishmen of the eighteenth century.

Brussels, Oct. 9.—"The Independance Belge," speaking of Dr. Holmes, says that he was a sort of an American Renan by his eelecticism, perhaps less subtle, but more youthful in spirit.

JOHN T. CUTTING ARRESTED.

NEW DEVELOPMENT IN THE SUIT FOR DIVORCE BROUGHT AGAINST HIM BY HIS WIFE.

John T. Cutting, of the John T. Cutting Company, cereals, No. 153 Duane-st., this city, and San Francisco, was arrested late yesterday by Deputy-Sheriff Walgering in an action brought against him in the Superior Court by his wife, Christine Luhes Cutting, for a limited divorce. The arrest was made upon an order obtained from Judge McAdam. In the affidavit upon which the order of arrest was granted Mrs. Cutting says she was married to her husband in San Francisco on June 1, 1893, and that shortly afterward she and her husband came to New-York on a bridal trip. She says that when they returned

on a bridal trip. She says that when they returned to San Francisco he began to treat her crueily and began to spend his time with immoral women. She says he induced her to give him \$7,500 to invest in the Cutting company and she has never been able to recover it.

Mrs. Cutting says she has \$100 a month from her father's estate, but that that it is not sufficient to maintain her in the style in which she has been accustomed to live. She says that her husband threatened to leave the State if she sued him for separation. It was to prevent this that she caused his arrest yesterday. Cutting was held in \$2,000 ball.